

IAP7 Rec'd PCT/PTO 01 SEP 2006

<b>Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371</b>		Attorney Docket No.: 27614U U.S. Application No.: Not Yet Assigned
International Application No.: <b>PCT/EP2005/051054</b>	International Filing Date: <b>MARCH 9, 2005</b>	Priority Date Claimed: <b>MARCH 10, 2004</b> <b>DECEMBER 17, 2004</b> <b>10/591480</b>
<b>Title of Invention: NOVEL AMIDO-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS</b>		
<b>Applicants for DO/EO/US: KAUTZ, Ulrich</b>		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):<ol style="list-style-type: none"><li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li><li><input type="checkbox"/> has been communicated by the International Bureau.</li><li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li></ol></li><li><input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li><li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li><li><input type="checkbox"/> have been communicated by the International Bureau.</li><li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li><input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
<b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
<ol style="list-style-type: none"><li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li><li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li><li><input type="checkbox"/> A substitute specification.</li><li><input type="checkbox"/> A change of power of attorney and/or address letter.</li><li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li><li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li><li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li><li><input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/087745 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 22, 2005, WHICH CONSISTS OF 102 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 83 PAGES OF TEXTUAL SPECIFICATION, 18 PAGES OF 18 CLAIMS, AND 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C, TO BE EXAMINED</b>; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (REQUEST); POSTCARD FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</li></ol>		

IAP5 Rec'd PCT/PTO 01 SEP 2006

107591480 U.S. Application No.: Not Yet Assigned		International Application: PCT/EP2005/051054	Attorney Docket No.: 27614U																																																																																																																						
<p>The following fees are submitted:</p> <table border="1"> <tr> <td>21. X Basic National Fee (37 CFR 1.492(a))</td> <td>\$ 300.00</td> <td>CALCULATION \$ 300.00</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. X Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>All other situations .....</td> <td>\$ 200.00</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>23. X Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....</td> <td>\$ 100.00</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....</td> <td>\$ 400.00</td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td>All other situations .....</td> <td>\$ 500.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>Total of 21, 22 and 23</b></td> <td><b>\$ 900.00</b></td> <td></td> </tr> <tr> <td colspan="5"> <p>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p> </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td># of each additional 50</td> <td>RATE</td> <td></td> </tr> <tr> <td>146-100 =</td> <td>46 / 50 =</td> <td>1</td> <td>X \$250</td> <td>\$ 250.00</td> </tr> <tr> <td colspan="5"> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> </td> </tr> <tr> <td>CLAIMS</td> <td># FILED</td> <td># EXTRA</td> <td>RATE</td> <td></td> </tr> <tr> <td>TOTAL</td> <td>16-20=</td> <td>0</td> <td>X \$50</td> <td></td> </tr> <tr> <td>INDEPENDENT</td> <td>1-3=</td> <td>0</td> <td>X \$200</td> <td></td> </tr> <tr> <td colspan="5"> <p>Multiple dependent claims (if applicable)</p> </td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$ 1,150.00</b></td> </tr> <tr> <td colspan="5"> <p>Applicant claims small entity status. Fees above are reduced by 1/2.</p> </td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td><b>\$ 1,150.00</b></td> </tr> <tr> <td colspan="5"> <p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</p> </td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$ 1,150.00</b></td> </tr> <tr> <td colspan="5"> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b></p> </td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$ 1,150.00</b></td> </tr> <tr> <td colspan="4">Amount to be: refunded</td> <td>\$</td> </tr> <tr> <td colspan="4">Amount to be: charged</td> <td>\$</td> </tr> </table>					21. X Basic National Fee (37 CFR 1.492(a))	\$ 300.00	CALCULATION \$ 300.00	PTO USE ONLY	22. 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U.S. Application No.: Not Yet Assigned	International Application: PCT/EP2005/051054	Attorney Docket No.: 27614U
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- a.  A check in the amount of \$ 1,150.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
(A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.**

Send All Correspondence To:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
112 South West Street  
Alexandria, VA 22314  
TEL: (703) 548-6284  
FAX: (703) 683-8396

Date: September 1, 2006

By: 

Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/591480

In re Application of:

KAUTZ, Ulrich

Application No.: Not Yet Assigned

Filed: September 1, 2006

Intl. Application No.: PCT/EP2005/051054

Intl. Filing Date: March 9, 2005

Title: NOVEL AMIDO-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/087745 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 22, 2005, which consists of 102 pages:
  - 1 page for the Cover Sheet, with Abstract,
  - 83 pages of Textual Specification,
  - 18 pages of 18 Claims, and
  - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A, B, and C, to be Examined;
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101 (Request);
- 11) Check No.: 2761 in the Amount of \$ 1,150.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900), and for the application size fee surcharge (\$250), as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

Date: September 1, 2006

By:



Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375